



CRM-M-41333-2025

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**111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-41333-2025

Date of Decision: 24.03.2026

Santosh Kumar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ashutosh Pandey, Advocate, for the petitioner
(through VC).

Ms. Ramta Chowdhary, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.252 dated 06.10.2021, registered under Sections 307, 323, 324, 341, 506 IPC, at Police Station Division No.06, District Ludhiana.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement Krishna Kumar. It was alleged that he worked as a labour and lived at a rented house (veda) and in the same house (veda), son of uncle Fakire Lal, Santosh Kumar (petitioner), Ajay Kumar and Namrata wife of Ajay Kumar alongwith their children also lived there. Santosh Kumar had doubted that the complainant had illicit affair with his sister-in-law and in the revenge, on 29.09.2021 at about 07:00 p.m., Santosh Kumar attacked the complainant with knife on his neck, due to which he got severely injured. When crowd gathered, Santosh Kumar fled away from the spot while giving him threats to be killed. Injured was shifted to the hospital. Request was made to take legal action against the accused person. On the registration of the FIR, investigation commenced. The petitioner was arrested on 07.10.2021. He was granted default bail by learned trial Court vide order dated 07.01.2022. However, during trial, he remained absent, due



to which his bail was cancelled and thereafter, he surrendered on 06.05.2025. He approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 27.05.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case by the complainant on the allegation that he doubted illicit relation of the petitioner with his sister-in-law. He contends that the petitioner was initially arrested on 07.10.2021 and granted bail 07.01.2022, however, as he remained absent during the trial, his bail was cancelled and thereafter, he surrendered on 06.05.2025 and since then, he is behind the bars. To buttress his arguments, he submits that the petitioner has no criminal antecedent as he has never been involved in any other case. He also contends that though the petitioner is behind the bars from the last more than one year, however, there is no progress in the trial and the prosecution is prolonging the incarceration of the petitioner. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has also opposed the submissions made by learned counsel for the petitioner. She has submitted that the petitioner was granted bail, however, he misused the same and remained absent during trial and hence, his bail was cancelled. On instructions, she submits that out of total 09 prosecution witnesses, no



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witness has been examine so far. She has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that earlier the petitioner was granted bail on 07.01.2022 by the trial Court, however, due to his absence, his bail was cancelled. The custody certificate would show that the petitioner has suffered incarceration of 01 year, 01 months & 14 days as on 23.03.2026. It further shows that the petitioner has no criminal antecedents. No witness has been examined out of total 09 prosecution witnesses.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

24.03.2026

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Whether Speaking/Reasoned :
Whether Reportable :

(RAJESH BHARDWAJ)
JUDGE

Yes/No
Yes/No